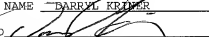


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Not assigned
)
FERRICK et al.) Group Art Unit: Unknown
)
Serial No.: Not Assigned) "EXPRESS MAIL" MAILING
) LABEL NUMBER EL US 821722147 US
) DATE OF DEPOSIT September 27, 2001
) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS
Filed: Herewith) BEING DEPOSITED WITH THE UNITED STATES
) POSTAL SERVICE "EXPRESS MAIL POST OFFICE
For: *Methods and Compositions for*) TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON
Screening for Modulators of IgE) THE DATE INDICATED ABOVE AND IS ADDRESSED
Synthesis, Secretion and Switch) TO: BOX PATENT APPLICATION FEE, ASSISTANT
Rearrangement) COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.
)
_____) TYPED NAME DARRYL KRIWER
) SIGNED 

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
BOX PATENT APPLICATION FEE
Washington, DC 20231

Sir:

This preliminary amendment accompanies a continuation filing of United States
Serial Number 09/076,624 filed 5/12/1998. It is believed that no other fees are due at this
time. However, should the Commissioner determine otherwise, he is authorized to charge any
additional fees or other relief which may be required, or credit any overpayment to Deposit
Account No. 06-1300 (Our Order No. A-66038-4/RMS/JJD/DLR).

Please amend the above identified application by entering the following new claim
set canceling all previously pending claims.

00000000-00000000

Serial No.: Not Assigned

Filed: Herewith

29. A retroviral vector comprising a fusion nucleic acid comprising:

- i) a promoter of interest;
- ii) a first reporter gene;
- iii) a nucleic acid encoding a 2a site; and
- iv) a second reporter gene.

30. A vector according to claim 1 wherein said promoter of interest is a constitutive promoter.

31. A vector according to claim 1 wherein said promoter of interest is an inducible promoter.

32. A vector according to claim 3 wherein said promoter of interest is the IL-4 inducible ϵ promoter.

33. A vector according to claim 1 wherein one of said reporter genes is a green fluorescent protein.

34. A vector according to claim 1 wherein one of said reporter genes is a death gene.

35. A vector according to claim 1 wherein one of said reporter genes is a drug resistance gene.

Serial No.: Not Assigned
Filed: Herewith

Remarks

Claim 1 has been canceled and Claims 29-35 have been added.

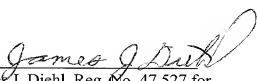
Support for independent claim 29 is found in the specification on page 15, lines 21 to page 16, line 20. Support for dependent claim 30 is found in the specification on page 12, line 6; claim 31 on page 14, line 21-25; for claim 32, throughout the specification. Support for dependent claims 33 is found on page 9, lines 6 and for claim 34, on page 10, line 29 to page 12, line 3. Support for dependent claim 35 is found in the specification on page 41, line 12-24.

No new matter is presented due to this addition. Therefore, entry of these claims is respectfully requested. On the basis of the amendments and remarks presented herein, Applicants believe that this application is now in condition for immediate allowance. Applicants respectfully request that the Examiner pass this application to issue, and an early notice of such is requested.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Date: September 27, 2001


James J. Diehl, Reg. No. 47,527 for
Robin M. Silva, Reg. No. 38,304

Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4187
Telephone: (415) 781-1989

1063412

Serial No.: Not Assigned

Filed: Herewith

Version showing changes made

Please cancel claim 1 and enter the following claims:

29. A retroviral vector comprising a fusion nucleic acid comprising:

- i) a promoter of interest;
- ii) a first reporter gene;
- iii) a nucleic acid encoding a 2a site; and
- iv) a second reporter gene.

30. A vector according to claim 1 wherein said promoter of interest is a constitutive promoter.

31. A vector according to claim 1 wherein said promoter of interest is an inducible promoter.

32. A vector according to claim 3 wherein said promoter of interest is the IL-4 inducible promoter.

33. A vector according to claim 1 wherein one of said reporter genes is a green fluorescent protein.

34. A vector according to claim 1 wherein one of said reporter genes is a death gene.

35. A vector according to claim 1 wherein one of said reporter genes is a drug resistance gene.